

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: DEALER MANAGEMENT
SYSTEMS ANTITRUST LITIGATION**

**This Document Relates:
THE DEALERSHIP CLASS ACTION**

MDL No. 2817
Case No. 18-cv-00864

Hon. Rebecca R. Pallmeyer

OMNIBUS DECLARATION OF PEGGY J. WEDGWORTH

I Peggy J. Wedgworth Esq., pursuant to 28 USC § 1746 hereby declare:

1. I am partner at Milberg Coleman Bryson Grossman PLLC. As Dealership Interim Lead Class Counsel and MDL Co-Lead Counsel in the above-captioned matter, I represent the following Dealership Class Plaintiffs: Continental Autos, Inc., d/b/a Continental Toyota; Continental Classic Motors, Inc., d/b/a Continental Autosports; Kenny Thomas Enterprises, Inc., d/b/a Olathe Toyota; Waconia Dodge, Inc.; John O'Neil Johnson Toyota, LLC; Jim Marsh American Corporation, d/b/a Jim Marsh Mitsubishi Suzuki Kia Mahindra; Pitre Imports, LLC, d/b/a Pitre Kia; Pitre, Inc., d/b/a Pitre Buick GMC; Patchogue 112 Motors LLC, d/b/a Stevens Ford; JCF Autos LLC, d/b/a Stevens Jersey City Ford; Jericho Turnpike Sales LLC, d/b/a Ford & Lincoln of Smithtown; Gregoris Motors, Inc.; Marshall Chrysler Jeep Dodge, L.L.C., d/b/a Marshall Chrysler Jeep Dodge Ram; Cliff Harris Ford, LLC, d/b/a Warrensburg Ford; Warrensburg Chrysler Dodge Jeep, L.L.C., d/b/a Warrensburg Chrysler Dodge Jeep Ram Fiat; and Hoover Automotive, LLC, d/b/a Hoover Dodge Jeep of Summerville.¹

¹ I also represent new proposed Class representatives in this litigation: Henry Brown Buick GMC, LLC d/b/a Henry Brown Buick GMC; GSM Auto Group, LLC, d/b/a Infiniti Mission Viejo; GSM Auto Group II, LLC, d/b/a Audi Mission Viejo; GSM Auto Group III, LLC, d/b/a Volvo Cars Mission Viejo; Sandy Sansing Chevrolet, Inc. d/b/a Sandy Sansing Chevrolet Pensacola; Tony Automotive Group LLC d/b/a (i) Tony Volkswagen; (ii) Tony Hyundai; (iii) Genesis of Waipio; and (iv) Tony Hyundai Honolulu; Tony Hawaii LLC d/b/a Tony Honda; Pacific Nissan LLC d/b/a Tony Nissan; Tony Hawaii Hilo LLC d/b/a Tony Honda Hilo; Tony Hawaii Kona LLC d/b/a Tony Honda Kona; Duteau Chevrolet Co., d/b/a DuTeau Chevrolet;

2. I submit this declaration in support of the following submissions by Dealership Class Plaintiffs, filed concurrently herewith: (1) Reply in Support of Their Motion For Class Certification; (2) Opposition to CDK's Motion to Exclude Testimony of Dr. Michael A. Williams; and (3) Motion to Exclude the Expert Testimony of Dr. Laila Haider.

3. I have personal knowledge of the matters set forth herein and could and would testify competently thereto if called to do so.

4. Attached hereto as **Exhibit A** is a true and correct copy of the April 12, 2024 Expert Class Certification Reply Report of Michal A. Williams, Ph.D.

5. Attached hereto as **Exhibit 1** is a true and correct copy of excerpts from the March 29, 2019 deposition transcript of Kelly R. Thomas as designated representative for Kenny Thomas Enterprises d/b/a Olathe Toyota.

6. Attached hereto as **Exhibit 2** is a true and correct copy of excerpts from the April 16, 2019 deposition transcript of H. Neal East.

7. Attached hereto as **Exhibit 3** is a true and correct copy of excerpts from the January 17, 2024 deposition transcript of Victoria Willis, as designated representative for Henry Brown Buick GMC, LLC.

8. Attached hereto as **Exhibit 4** is a true and correct copy of excerpts from the January 16, 2024 deposition transcript of Nicholas Bernier, as designated representative for Automaster Group.

9. Attached hereto as **Exhibit 5** is a true and correct copy of excerpts from the January 12, 2024 deposition transcript of Laura Barrera-Moore, as designated representative for Landmark Ford, Inc.

Landmark Ford; Automaster BMW; Automaster Honda; Automaster Mercedes-Benz; Mini of Birmingham; L&S Motors of Beckley, Inc., d/b/a L&S Toyota of Beckley; Toyota of Ann Arbor; and Rochester Hills Chrysler Jeep Dodge Ram.

10. Attached hereto as **Exhibit 6** is a true and correct copy of excerpts from the January 22, 2024 deposition transcript of Lincoln Phillip, as designated representative for Rochester Hills CJDR.

11. Attached hereto as **Exhibit 7** is a true and correct copy of excerpts from the February 2, 2024 deposition transcript of Scott Gunderson, as designated representative for GSM Auto Group.

12. Attached hereto as **Exhibit 8** is a true and correct copy of excerpts from the January 4, 2024 deposition transcript of Andy Kerby, as designated representative for Jim Marsh Kia.

13. Attached hereto as **Exhibit 9** is a true and correct copy of excerpts from the January 25, 2024 deposition transcript of Matthew Roop, as designated representative for L&S Toyota of Berkley.

14. Attached hereto as **Exhibit 10** is a true and correct copy of excerpts from the January 26, 2024 deposition transcript of Bryan Hsu, as designated representative for the Tony Group.

15. Attached hereto as **Exhibit 11** is a true and correct copy of excerpts from the January 3, 2024 deposition transcript of Andy Strong, as designated representative for Waconia Dodge Inc.

16. Attached hereto as **Exhibit 12** is a true and correct copy of excerpts from the January 30, 2024 deposition transcript of Lynn Sunderman, as designated representative for DuTeau Chevrolet.

17. Attached hereto as **Exhibit 13** is a true and correct copy of excerpts from the February 2, 2024 deposition transcript of Thomas Stever, as designated representative for Pitre Group.

18. Attached hereto as **Exhibit 14** is a true and correct copy of excerpts from the January 9, 2024 deposition transcript of Steven Henry, as designated representative for Sandy Sansing Chevrolet, Inc.

19. Attached hereto as **Exhibit 15** is a true and correct copy of excerpts from the January 22, 2024 deposition transcript of David Benstock, as designated representative for the Stevens Group.

20. Attached hereto as **Exhibit 16** is a true and correct copy of the Landmark Ford MSA signed October 13, 2017, produced in this litigation as CDK-3129485 to 500.

21. Attached hereto as **Exhibit 17** is a true and correct copy of an excerpt from Dr. Laila Haider's back-up materials titled, "Dealership Standardization.xlsx".

22. Attached hereto as **Exhibit 18** is a true and correct copy of *In re HIV Antitrust Litig.*, No. 19-cv-02573-EMC (N.D. Cal. Sept. 27, 2022).

23. Attached hereto as **Exhibit 19** is a true and correct copy of excerpts from the March 19-20, 2024 deposition transcript of Dr. Laila Haider.

24. Attached hereto as **Exhibit 20** is a true and correct copy of excerpts from the February 12, 2024 deposition transcript of Dr. Michael Williams.

25. Attached hereto as **Exhibit 21** is a true and correct copy of Chapter 4 from the ABA Section of Antitrust Law, *Proving Antitrust Damages: Legal and Economic Issues* (3d ed. 2017).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Birmingham, Alabama this 12th day of April 2024.

/s/ Peggy J. Wedgworth
Peggy J. Wedgworth

CERTIFICATE OF SERVICE

I, Peggy J. Wedgworth, an attorney, hereby certify that on April 12, 2024, I caused a true and correct copy of the foregoing **OMNIBUS DECLARATION OF PEGGY J. WEDGWORTH** to be filed and served electronically via the Court's CM/ECF system. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Peggy J. Wedgworth
Peggy J. Wedgworth